
A BILL FOR AN ACT

RELATING TO THE REPEAL OF NON-GENERAL FUNDS.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

PART I

SECTION 1. The purpose of this Act is to repeal the pineapple workers and retirees housing assistance fund, the state disaster revolving loan fund, and the transportation use special fund, which are no longer necessary.

PART II

SECTION 2. The purpose of this part is to repeal the pineapple workers and retirees housing assistance fund.

The legislature finds that the fund is no longer necessary. It has had no balance or activity in recent years.

SECTION 3. Section 201H-85, Hawaii Revised Statutes, is repealed.

~~["~~§201H-85~~] Pineapple workers and retirees housing assistance fund; established. (a) There is established in the state treasury the pineapple workers and retirees housing assistance fund to provide mortgage payments or rent subsidies for eligible Del Monte Fresh Produce pineapple workers and retirees and their families who are displaced or affected by the~~



1 ~~closure of Del Monte Fresh Produce. The pineapple workers and~~
2 ~~retirees housing assistance fund shall be administered by the~~
3 ~~corporation.~~

4 ~~(b) Moneys appropriated for the purposes of this section~~
5 ~~shall be deposited into the pineapple workers and retirees~~
6 ~~housing assistance fund, provided that, upon fulfillment of the~~
7 ~~purposes of this section, all unencumbered moneys shall lapse~~
8 ~~into the general fund. The corporation shall establish~~
9 ~~guidelines with respect to eligible Del Monte Fresh Produce~~
10 ~~pineapple workers and retirees and mortgage payments or rental~~
11 ~~assistance payments under this section.~~

12 ~~(c) The corporation shall adopt rules in accordance with~~
13 ~~chapter 91 to effectuate the purposes of this section."]~~

14 PART III

15 SECTION 4. The purpose of this part is to repeal the State
16 disaster revolving loan fund.

17 SECTION 5. Section 209-34, Hawaii Revised Statutes, is
18 repealed.

19 ~~["§209-34 State disaster revolving loan fund. (a) There~~
20 ~~is established the state disaster revolving loan fund into which~~
21 ~~shall be deposited all moneys appropriated by the legislature to~~



1 ~~the fund, contributed or transferred to the fund, and received~~
2 ~~as repayment of loans and interest payments as provided in this~~
3 ~~part, and from which the director of business, economic~~
4 ~~development, and tourism may make loans in accordance with this~~
5 ~~part.~~

6 ~~(b) The director may transfer moneys from the state~~
7 ~~disaster revolving loan fund established by this section to~~
8 ~~either the Hawaii capital loan revolving fund established by~~
9 ~~section 210-3 or the Hawaii innovation development fund~~
10 ~~established by section 211E-2. Moneys from the Hawaii capital~~
11 ~~loan revolving fund established by section 210-3, the Hawaii~~
12 ~~innovation development loan revolving fund established by~~
13 ~~section 211E-2, and the state disaster revolving loan fund shall~~
14 ~~be disbursed by the department or the director pursuant to~~
15 ~~chapters 209, 210, and 211E, respectively. The department or~~
16 ~~the director may transfer moneys from the Hawaii capital loan~~
17 ~~revolving fund and the Hawaii innovation development fund to the~~
18 ~~state disaster revolving loan fund for disbursement pursuant to~~
19 ~~this chapter.~~

20 ~~(c) The total amount of moneys transferred to the state~~
21 ~~disaster revolving loan fund, the Hawaii capital loan revolving~~



1 ~~fund, or the Hawaii innovation development fund shall not exceed~~
2 ~~\$1,000,000 for each respective fund within the calendar year.~~

3 ~~(d) Notwithstanding subsection (c) to the contrary, the~~
4 ~~total amount of moneys transferred between the state disaster~~
5 ~~revolving loan fund and the Hawaii capital loan revolving fund~~
6 ~~or the Hawaii innovation development fund shall not exceed~~
7 ~~\$1,000,000 within the calendar year if the governor proclaims a~~
8 ~~state disaster pursuant to section 209-2.~~

9 ~~(e) The director shall report any transfer of funds made~~
10 ~~under this section to the legislature within ten days of the~~
11 ~~transfer.~~

12 ~~(f) All unexpended and unencumbered moneys remaining in~~
13 ~~the state disaster revolving loan fund at the close of each~~
14 ~~fiscal year, which are deemed by the director of finance to be~~
15 ~~in excess of the moneys necessary to carry out the purposes of~~
16 ~~this section over the next following fiscal year, shall lapse to~~
17 ~~the credit of the general fund."]~~

18 PART IV

19 SECTION 6. The purpose of this part is to repeal the
20 transportation use special fund.



1 The legislature finds that the transportation use special
2 fund, established by section 261D-1, Hawaii Revised Statutes,
3 has been unused, has held no deposits for many years, and should
4 be repealed. According to the department of transportation and
5 state auditor, this fund has outlived its purpose.

6 SECTION 7. Section 36-30, Hawaii Revised Statutes, is
7 amended by amending subsection (a) to read as follows:

8 "(a) Each special fund, except the:

9 ~~[(1) Transportation use special fund established by section~~

10 ~~261D-1;~~

11 ~~[(2)]~~ (1) Special out-of-school time instructional program
12 fund under section 302A-1310;

13 ~~[(3)]~~ (2) School cafeteria special funds of the department
14 of education;

15 ~~[(4)]~~ (3) Special funds of the University of Hawaii;

16 ~~[(5)]~~ (4) State educational facilities improvement special
17 fund;

18 ~~[(6)]~~ (5) Special funds established by section 206E-6;

19 ~~[(7)]~~ (6) Aloha Tower fund created by section 206J-17;

20 ~~[(8)]~~ (7) Funds of the employees' retirement system created
21 by section 88-109;



1 ~~[(9)]~~ (8) Hawaii hurricane relief fund established under
2 section 431P-2;
3 ~~[(10)]~~ (9) Convention center enterprise special fund
4 established under section 201B-8;
5 ~~[(11)]~~ (10) Hawaii health systems corporation special funds
6 and the subaccounts of its regional system boards;
7 ~~[(12)]~~ (11) Tourism special fund established under section
8 201B-11;
9 ~~[(13)]~~ (12) Universal service fund established under section
10 269-42;
11 ~~[(14)]~~ (13) Emergency and budget reserve fund under section
12 328L-3;
13 ~~[(15)]~~ (14) Public schools special fees and charges fund
14 under section 302A-1130;
15 ~~[(16)]~~ (15) Sport fish special fund under section 187A-9.5;
16 ~~[(17)]~~ (16) Center for nursing special fund under section
17 304A-2163;
18 ~~[(18)]~~ (17) Passenger facility charge special fund
19 established by section 261-5.5;
20 ~~[(19)]~~ (18) Court interpreting services revolving fund under
21 section 607-1.5;



1 ~~[(20)]~~ (19) Hawaii cancer research special fund;
2 ~~[(21)]~~ (20) Community health centers special fund;
3 ~~[(22)]~~ (21) Emergency medical services special fund;
4 ~~[(23)]~~ (22) Rental motor vehicle customer facility charge
5 special fund established under section 261-5.6;
6 ~~[(24)]~~ (23) Shared services technology special fund under
7 section 27-43;
8 ~~[(25)]~~ (24) Nursing facility sustainability program special
9 fund established pursuant to Act 156, Session Laws of
10 Hawaii 2012;
11 ~~[(26)]~~ (25) Automated victim information and notification
12 system special fund established under section 353-136;
13 and
14 ~~[(27)]~~ (26) Hospital sustainability program special fund
15 under Act 217, Session Laws of Hawaii 2012, as amended
16 by Act 141, Session Laws of Hawaii 2013,
17 shall be responsible for its pro rata share of the
18 administrative expenses incurred by the department responsible
19 for the operations supported by the special fund concerned."

20 SECTION 8. Section 261-5, Hawaii Revised Statutes, is
21 amended to read as follows:



1 "§261-5 Disposition of airport revenue fund. (a) Except
2 for:

3 ~~[(1)] That portion of the payments received by the~~
4 ~~department under a contract entered into as authorized~~
5 ~~by section 261-7 and deposited in the transportation~~
6 ~~use special fund pursuant to section 261D-1;~~

7 ~~+(2)]~~ (1) All proceeds from the passenger facility charge
8 and deposited in the passenger facility charge special
9 fund; and

10 ~~+(3)]~~ (2) All proceeds from the rental motor vehicle
11 customer facility charge and deposited in the rental
12 motor vehicle customer facility charge special fund,
13 all moneys received by the department from rents, fees, and
14 other charges collected pursuant to this chapter, as well as all
15 aviation fuel taxes paid pursuant to section 243-4(a)(2), shall
16 be paid into the airport revenue fund created by section 248-8.

17 All moneys paid into the airport revenue fund shall be
18 appropriated, applied, or expended by the department for any
19 purpose within the jurisdiction, powers, duties, and functions
20 of the department related to the statewide system of airports,
21 including, without limitation, the costs of operation,



1 maintenance, and repair of the statewide system of airports and
2 reserves therefor, and acquisitions (including real property and
3 interests therein), constructions, additions, expansions,
4 improvements, renewals, replacements, reconstruction,
5 engineering, investigation, and planning for the statewide
6 system of airports, all or any of which in the judgment of the
7 department are necessary to the performance of its duties or
8 functions. The department shall generate sufficient revenues
9 from its airport properties to meet all of the expenditures of
10 the statewide system of airports and to comply with section 39-
11 61; provided that as long as sufficient revenues are generated
12 to meet such expenditures, the director of transportation may,
13 in the director's discretion, grant a rebate of the aviation
14 fuel taxes paid into the airport revenue fund during a fiscal
15 year pursuant to sections 243-4(a)(2) and 248-8 to any person
16 who has paid airport use charges or landing fees during such
17 fiscal year. Such rebate may be granted during the next
18 succeeding fiscal year but shall not exceed one-half cent per
19 gallon per person, and shall be computed on the total number of
20 gallons for which the tax was paid by such person, for such
21 fiscal year.



1 (b) At any time the director of transportation may
2 transfer from the airport revenue fund all or any portion of the
3 moneys received by the department paid under a contract entered
4 into as authorized by section 261-7 on account of the display,
5 sale and delivery of in-bond merchandise displayed or sold at
6 locations in the State other than on airport properties, as
7 permitted under federal law without causing a violation of
8 federal grant agreements, which the director of transportation
9 shall determine, pursuant to rules promulgated pursuant to
10 chapter 91, to be in excess of one hundred fifty per cent of the
11 requirements of the airport revenue fund for the ensuing twelve
12 months.

13 (c) All expenditures by the department shall be on
14 vouchers duly approved by the director of transportation or such
15 other officer as may be designated by the director.

16 ~~[(d) Notwithstanding the provisions contained in any~~
17 ~~contract authorized by section 261-7 in effect on June 13, 1989,~~
18 ~~from and after June 13, 1989, to and including June 30, 1990,~~
19 ~~all payments made under such contract allocable to the display~~
20 ~~and sale of in bond merchandise at locations in the State other~~
21 ~~than on airport properties shall be credited to the~~



1 ~~transportation use special fund established by section 261D-1 in~~
2 ~~the airport revenue fund established by section 248-8, but shall~~
3 ~~not be appropriated, applied, or expended prior to July 1, 1990,~~
4 ~~except for purposes provided under this section.] "~~

5 SECTION 9. Section 261D-1, Hawaii Revised Statutes, is
6 repealed.

7 ~~["§261D-1 Transportation use special fund; established.~~
8 ~~There is created in the treasury of the State, as a separate~~
9 ~~account in the airport revenue fund established by section 248-~~
10 ~~8, the transportation use special fund. There shall be credited~~
11 ~~to such account that portion of the moneys received by the~~
12 ~~department of transportation paid under any contract entered~~
13 ~~into as authorized by section 261-7 on account of the display,~~
14 ~~sale, and delivery of in bond merchandise displayed or sold at~~
15 ~~locations in the State other than on airport properties in the~~
16 ~~manner provided by rules adopted pursuant to chapter 91 as~~
17 ~~permitted under federal law without causing a violation of~~
18 ~~federal grant agreements, or as shall be mutually agreed upon by~~
19 ~~the State and any appropriate agency of the federal government,~~
20 ~~provided that no moneys so credited may be appropriated,~~
21 ~~applied, or expended from the transportation use special fund~~



1 ~~prior to July 1, 1990, except for purposes provided under~~
2 ~~section 261-5. The director of transportation shall administer~~
3 ~~the fund."]~~

4 SECTION 10. Section 261D-4, Hawaii Revised Statutes, is
5 repealed.

6 ~~["[§261D-4] Report to the legislature. The director of~~
7 ~~transportation shall submit a report to the legislature, not~~
8 ~~later than thirty days after the end of each fiscal year with~~
9 ~~respect to the transportation use special fund. The report~~
10 ~~shall include, but not be limited to, the following:~~

11 ~~(1) The amount of moneys received and deposited in the~~
12 ~~transportation use special fund and the amount of~~
13 ~~moneys transferred from the transportation use special~~
14 ~~fund to any other special fund of the department of~~
15 ~~transportation for the fiscal year just ended;~~

16 ~~(2) The amount of moneys expected to be received by the~~
17 ~~department of transportation, pursuant to section~~
18 ~~261D-1, for the transportation use special fund and to~~
19 ~~be transferred to any other special fund of the~~
20 ~~department of transportation for the current fiscal~~
21 ~~year; and~~



1 ~~(3) Any interest accrued or expense deducted from the~~
2 ~~moneys in the transportation use special fund, with an~~
3 ~~explanation for each."]~~

4 PART V

5 SECTION 11. On June 30, 2015, all unencumbered balances
6 remaining in the accounts and funds repealed by this Act shall
7 lapse to the credit of the general fund.

8 PART VI

9 SECTION 12. Statutory material to be repealed is bracketed
10 and stricken. New statutory material is underscored.

11 SECTION 13. This Act shall take effect on July 1, 2015;
12 provided that section 7 of this Act shall take effect on
13 June 29, 2015; provided further that the amendments made in
14 section 7 shall not be repealed when section 36-30, Hawaii
15 Revised Statutes, is reenacted on:

16 (1) June 30, 2015, pursuant to section 34 of Act 79,
17 Session Laws of Hawaii 2009; and

18 (2) December 31, 2015, pursuant to section 7 of Act 124,
19 Session Laws of Hawaii 2014.



Report Title:

Department of Budget and Finance

Description:

Repeals the pineapple workers and retirees housing assistance fund, the state disaster revolving loan fund, and the transportation use special fund. (SD1 Proposed)

The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.

